

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.16699 of 2017
and
W.M.P.No.18079 of 2017

Tmt.R.Chellammal

..Petitioner

Vs

- 1.The Director,
Geology and Mining Department,
Thiru.Vi.Ka.Industrial Estate,
Guindy, Chennai - 600 032.
- 2.The District Collector,
Namakkal District Collectorate,
Namakkal District.
- 3.The Deputy Director,
Department of Geology and Mining,
District Collector's Office,
Namakkal District.
- 4.The Assistant Director,
Rural Development and Panchayats,
Namakkal District.
- 5.The Block Development Officer,
Elachipalayam Panchayat Union,
Elachipalayam,Namakkal District.
- 6.The President,
No.87, Koundampalayam Panchayat,
Kumaramangalam Village,
Namakkal District.

7.Eswaran

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, to direct the second respondent to take appropriate action against the 7th respondent in the light of the petitioner's representation dated 06.06.2017, within the time stipulated by this Court.

For Petitioner : Mr.K.Venkateswaran

For Respondents : Mr.V.Shanmuga Sundar
Special Government Pleader for R1 to R4
Mr.N.Srinivasan
Additional Government Pleader for R5 & R6
Mr.C.Neethimozhi for R7

O R D E R

The prayer sought for in this writ petition is to issue a mandamus, directing the second respondent to take appropriate action against the seventh respondent, based on the petitioner's representation dated 06.06.2017, within the time stipulated by this Court.

2. According to the learned counsel for the petitioner, the seventh respondent has constructed a house, within 50 metres from the quarrying site, against the provisions of the Tamilnadu Mines and Minerals Concession Rules, 1959. Hence, the petitioner made a representation on 06.06.2017, but, the same is yet to be disposed of by the respondents.

3. Refuting the allegations raised against the seventh respondent, the learned counsel appearing for the seventh respondent submitted that such construction took place 20 years before and there was no violations taken place in such construction as alleged by the petitioner.

4. Irrespective of the submissions so made by the learned counsel on either side, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner dated 06.06.2017 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, seventh respondent as well as any other interested parties, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

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To

- 1.The Director,
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Guindy, Chennai - 600 032.
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Namakkal District.
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Elachipalayam,
Namakkal District.
- 6.The President,
No.87, Koundampalayam Panchayat,
Kumaramangalam Village,
Namakkal District.

+1cc to Mr.C.Nithimozhi, Advocate SR.No.62269

+1cc to Mr.K.Venkateswaran, Advocate SR.No.61865

+1cc to Mr.N.Srinivasan, Advocate SR.No.61672

+1cc to Government Pleader SR.No.62146

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GMV (25/09/2018)